

**IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN THE MATTER OF:**

**CHAPTER 13 CASE NO.:**

**BESSIE STARK**

**19-12238-JDW**

**NOTICE OF MOTION FOR ORDER  
DECLARING MORTGAGE CLAIM SATISFIED**

You are hereby notified that Locke D. Barkley, Chapter 13 Trustee (the "Trustee"), has filed the attached Motion for Order Declaring Mortgage Claim Satisfied (the "Motion") in the above styled Chapter 13 case.

Should any party receiving this notice respond the Motion, such response is required to be filed on or before September 2, 2024, with the Clerk of this Court using the CM/ECF system or at the following address:

Shallanda J. Clay, Clerk of Court  
U. S. Bankruptcy Court  
Northern District of Mississippi  
703 Highway 145 North  
Aberdeen, MS 39730

Furthermore, a copy must be served on the Trustee. If no responses are filed, the Court may consider the Motion immediately after the time for responses has expired. In the event a response is filed, the Court will notify you of the date, time, and place of the hearing thereon.

**CERTIFICATE OF SERVICE**

I, the undersigned attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to all affected creditors and their attorney(s), if known.

Dated: August 8, 2024.

**LOCKE D. BARKLEY  
CHAPTER 13 TRUSTEE**

/s/ Melanie T. Vardaman  
ATTORNEYS FOR TRUSTEE  
W. Jeffrey Collier (MSB 10645)  
Melanie T. Vardaman (MSB 100392)  
6360 I-55 North, Suite 140  
Jackson, MS 39211  
(601) 355-6661  
[ssmith@barkley13.com](mailto:ssmith@barkley13.com)

**IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN THE MATTER OF:**

**CHAPTER 13 CASE NO.:**

**BESSIE STARK**

**19-12238-JDW**

**MOTION FOR ORDER DECLARING MORTGAGE CLAIM SATISFIED**

COMES NOW Locke D. Barkley, Chapter 13 Trustee (the "Trustee"), by and through counsel, and files this Motion for Order Declaring Mortgage Claim Satisfied (the "Motion") as to the Proof of Claim of the creditor identified herein.

**Name of Creditor:** M & T Bank

**Court Proof of Claim No.:** 21-1

**Last four digits of account number (if known):** 1549

**Amount of Allowed Proof of Claim:** \$21,163.70

**Amount paid by Trustee including interest, fees, and escrow:**  
\$35,719.00

**Date of last Trustee disbursement:** July 31, 2024

The Trustee requests an order of this Court deeming the Creditor's mortgage claim fully satisfied upon entry of the Order of Discharge, including, but not limited to, pre-petition arrearage, and all post-petition payments, escrow shortages and deficiencies, advances, charges, expenses, fees, and attorney's fees incurred and/or charged by the Creditor during the course of the bankruptcy, as of the date stated herein.

WHEREFORE, PREMISES CONSIDERED, the Trustee requests this Court enter its order:

a. Deeming the mortgage claim of the Creditor fully satisfied upon entry of the Order of Discharge, including the pre-petition arrearage, and all post-petition payments, escrow shortages and deficiencies, advances, charges, expenses, fees, and attorney's fees incurred and/or charged by the Creditor during the course of the bankruptcy.

b. That upon entry of the Order of Discharge, the Creditor release its lien and otherwise comply with applicable non-bankruptcy law; and

c. Awarding such other and further relief as is just and proper.

Dated: August 8, 2024.

Respectfully submitted,

**LOCKE D. BARKLEY**  
**CHAPTER 13 TRUSTEE**

/s/ Melanie T. Vardaman  
ATTORNEYS FOR TRUSTEE  
W. Jeffrey Collier (MSB 10645)  
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**CERTIFICATE OF SERVICE**

I, the undersigned attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the Debtor, attorney for the Debtor, the United States Trustee, and other parties in interest, if any, as identified below.

M&T Bank  
Post Office Box 840  
Buffalo, NY 14240

Karen A. Maxcy, Esq.  
Attorney for Creditor

Dated: August 8, 2024.

/s/ Melanie T. Vardaman  
MELANIE T. VARDAMAN